IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

WP(C).No. 1265 of 2007(A)

PETITIONER:

M/S.POOTHUNDU PLANTATIONS PVT.LTD.,
PADAGIRI, NELLIAMPATHY, PALAKKAD-678 509,
REPRESENTED BY ITS DIRECTOR, ANTONY GEORGE,
S/O.LATE M.A. GEORGE, AGED 45 YEARS,
RESIDING AT `MADATHILACKAL HOUSE',
SEA-XION WARD, ALAPPUZHA.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS:

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1. ASSISTANT PROVIDENT FUND COMMISSIONER,
E.P.F.O., BHAVISHYANIDHI BHAVAN,
ERANHIPALAM P.O., KOZHIKODE, KERALA.

2. THE RECOVERY OFFICER, E.P.F.,
BHAVISHYANIDHI BHAVAN, ERANHIPALAM P.O.,
KOZHIKODE, KERALA.

BY ADV. SRI.THOMAS MATHEW NELLIMOOTTIL, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.1265 of 2007

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Dated this the 11th day of January, 2007.

JUDGMENT

Heard counsel for the petitioner and Standing Counsel for respondents. Since petitioner has cleared the arrears and challenge is against damages awarded under Section 14B of the Employees' Provident Funds and Miscellaneous Provisions Act and interest under Section 7Q of the Act, W.P. is disposed of granting one month time to the petitioner to file appeal against damages levied under Section 14B on condition that petitioner will deposit rupees fifty thousand towards damages and along with it entire interest demanded under Section 7Q and produce it's receipt before the Tribunal along with appeal to be filed. If appeal is filed as above, the Appellate Tribunal will treat the appeal as filed in time, hear the parties and dispose of the same within four months thereafter. Recovery of damages will remain stayed for one month and if Rs.50,000/- is paid along with interest demanded as stated above, then recovery of balance damages will remain stayed for six months thereafter.

C.N.RAMACHANDRAN NAIR
Judge

pms